

RECEIVED  
CENTRAL FAX CENTER

MAR 26 2004

OFFICIAL

PATENT

0003

#8LM  
Letter  
3-14-04

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/574,472  
Applicant(s) : CLARK, Alan D.  
Filed : 05/19/2000  
TC/A.U. : To Be Assigned  
Examiner : To Be Assigned  
Title : Dynamic Quality of Service Monitor

Confirmation No.

Docket No. : 041253.007  
Customer No. : 25461

**REQUEST FOR CORRECTION OF CUSTOMER NUMBER**  
**AND REQUEST FOR COPY OF OFFICE ACTION**

**Via Facsimile (703-872-9306)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is noted that on October 17, 2000, the Applicant in the subject application filed a Power of Attorney, appointing the practitioners at Customer No. 25461 as agents to prosecute the application and changing the correspondence address to Customer No. 25461. Enclosed is a copy of the Power of Attorney signed by the Inventor/Applicant, the Transmittal Form, and the return receipt postcard, bearing the date stamp of October 23, 2000, of the United States Patent and Trademark Office (PTO). Pursuant to a telephone call to the Inventors' Assistance Center to ascertain the status of the application, the undersigned attorney was informed that the practitioners at Customer No. 24561 are listed as agents. It is clear that the PTO made a typographical error in entering the customer number; therefore, Applicant requests that the PTO correct the customer number.

It is also noted that an Office Action was issued on June 4, 2003, according to the Inventors' Assistance Center. Because the PTO appointed the wrong customer number, the undersigned attorney did not received said Office Action. Therefore, Applicant requests that the Office Action issued on June 4, 2003, be mailed to the undersigned attorney at Customer No. 25461 and that the mailing date for the period of reply be re-started.

LIT/855904.1

PATENT

Respectfully submitted,

*Dale Lischer*

By: Dale Lischer, Reg. No. 28,438

Dated: March 26, 2004  
SMITH, GAMBRELL & RUSSELL, LLP  
Suite 3100, Promenade II  
1230 Peachtree Street, N.E.  
Atlanta, Georgia 30309-3592  
Ph: (404) 815-3741  
Fax: (404) 685-7041

LIT/855904.1

The U.S. Patent & Trademark Office official Mailroom stamp affixed hereto,  
acknowledges receipt of the items listed below:

Application No: 09/574,472

Application Date: May 18, 2000

Applicant: Alan D. Clark

For: Dynamic Quality of Service Monitor

Papers Submitted Transmittal Form, Power of Attorney or Authorization of

Agent Not Accompanying Application and Return Receipt Postcard

Docket No.: 041253.007

Atty/Sec'y: DL/mma

Date Mailed October 17, 2000



11/28/00

RECEIVED  
CENTRAL FAX CENTER

MAR 26 2004

OFFICIAL

## WASHINGTON, D.C. OFFICE

SUITE 800  
1850 M STREET, N.W.  
WASHINGTON, D.C. 20036  
TELEPHONE  
(202) 883-4300  
FACSIMILE  
(202) 883-4328

## SMITH, GAMBRELL &amp; RUSSELL, LLP

ATTORNEYS AT LAW  
SUITE 3100, PROMENADE II  
1230 PEACHTREE STREET, N.E.  
ATLANTA, GEORGIA 30309-3592  
TELEPHONE (404) 815-3500  
FACSIMILE (404) 815-3509  
WEBSITE www.sgrlaw.com

ESTABLISHED 1893

SUITE 2800, BANK OF AMERICA TOWER  
50 NORTH LAURA STREET  
JACKSONVILLE, FL 32202  
TELEPHONE  
(904) 598-6100  
FACSIMILE  
(904) 598-6300

TELECOPY COVER SHEET

DATE: March 26, 2004

Send To:	At (Firm/Company):	Telecopy:	Phone:
OIPE	U.S. PTO	(703) 872-9306	(800) 786-9199

From: Dale Lischer, Esq. (931)      Telecopy: (404) 685-7041      Phone: (404) 815-3741      Client/Matter: 041253.007      Number of Pages: 7

OPERATOR: \_\_\_\_\_ TIME COMPLETED: \_\_\_\_\_  
PLEASE CALL (404) 815-3500 IF YOU HAVE ANY PROBLEMS

## MESSAGE:

Re: U.S. Patent Application No. 09/574,472  
Filing Date: 05/19/2000  
Inventors: Alan D. CLARK  
Title: Dynamic Quality of Service Monitor  
Atty. Dkt. No.: 041253.007

Please see attached.

## CONFIDENTIALITY NOTE:

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address above via the United States Postal Service. Thank you.

PTO/SB/21 (06-03)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	09/574,472
		Filing Date	05/19/2000
		First Named Inventor	CLARK, Alan D.
		Art Unit	To Be Assigned
		Examiner Name	To Be Assigned
Total Number of Pages in This Submission	6	Attorney Docket Number	041253.007

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Correction of Customer Number Copy of Power of Attorney filed October 23, 2000
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or individual name	Dale Lischer, Reg. No. 28,438
Signature	<i>Dale Lischer</i>
Date	March 26, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Lucy Kimsey	Date	March 26, 2004
Signature	<i>Lucy Kimsey</i>		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.